

Sunset Public Hearing Questions for
Advisory Board for Rehabilitation Centers
Created by Section 49-11-704, *Tennessee Code Annotated*
(Sunset Termination June 2022)

Enabling Statute, Purpose, and Rules and Regulations

1. Provide a brief introduction to the board, including information about its purpose, statutory duties, staff, and administrative attachment.

The Advisory Board for Rehabilitation Centers is a statutory creation whose requirements are listed in Tenn. Code Ann. § 49-11-704. The Board's purpose is to "coordinate the activities of the rehabilitation centers and to advise the commissioner and to better acquaint the public with the needs and activities of the program . . ." The board consists of 16 members, as follows:

(1) There shall be one (1) ex officio member from each of the following departments and agencies:

- (A) The department of mental health and substance abuse services;**
- (B) The department of labor and workforce development;**
- (C) The department of human services;**
- (D) The division of rehabilitation services of the department of human services;**
- (E) The department of education;**
- (F) The Tennessee committee on employment of persons with disabilities; and**
- (G) The department of intellectual and developmental disabilities; and**

(2) The remaining nine (9) members are commissioner appointed from private organizations and agencies concerned with persons with disabilities, to serve for staggered terms of four (4) years each. The Commissioner, in making such appointments, ensures that there is adequate appropriate representation on the board based upon gender and ethnicity.

It is the duty of the advisory board to consider and advise the Commissioner and the division on broad problems and policies, to review periodically the progress of the rehabilitation center program, and to help maintain coordination between the program and the related programs of the organizations and agencies represented on the board. The board is required to meet at least annually and at other times that may be necessary.

2. Does the board have the authority to promulgate rules and regulations? If such authority is not granted, does the board feel that authority is needed?

This board has no authority to promulgate rules and regulations and does not need such authority.

Board Organization

3. Provide a list of current members of the board. For each member, please indicate who appointed the member, statutory member representation, the beginning and end of the member's term, and whether the member is serving a consecutive term.

Name	Appointing Authority	Seat requirements mandated by code (i.e., consumer member, physician, etc.) *	Current term dates (beginning & end)	# of terms served (i.e. 1 full term, 1 statutory appointment)
Mark Liverman	Ex-Officio	TN Dept. of Mental Health and Substance Abuse Services Agency Representative	N/A	N/A
Jaylene Younge	Ex-Officio	TN Department of Labor and Workforce Development Agency Representative	N/A	N/A
Kevin Wesley	Ex-Officio	TN Department of Human Services Agency Representative	N/A	N/A
Mandy Johnson	Ex-Officio	Division of Rehabilitation Services	N/A	N/A
Martina Stump	Ex-Officio	TN Department of Education Agency Representative	N/A	N/A
Carrie Brna	Ex-Officio	Department of Intellectual and Developmental Disabilities Agency Representative	N/A	N/A
Thomas Wilson	Commissioner-Department of Human Services	Commissioner appointed from private organizations and agencies concerned with persons with disabilities Safety Consultant; Retired OSHA Safety Supervisor	09/01/2015-08/31/2019 1 st Term 09/01/2019-08/31/2023 2 nd Term	Serving 2nd Term

Name	Appointing Authority	Seat requirements mandated by code (i.e., consumer member, physician, etc.) *	Current term dates (beginning & end)	# of terms served (i.e. 1 full term, 1 statutory appointment)
Melinda Bone	Commissioner- Department of Human Services	Commissioner appointed from private organizations and agencies concerned with persons with disabilities Operations Manager/President of Management Services BFS Facility Services LLC	08/01/2019-07/30/2023 1 st Term	Serving 1 st Term
James Troupe	Commissioner- Department of Human Services	Commissioner appointed from private organizations and agencies concerned with persons with disabilities Vice President First Community Bank of Bedford County	08/01/2019-07/30/2023 1 st Term	Serving 1 st Term
Ronnie Gunnels	Commissioner- Department of Human Services	Commissioner appointed from private organizations and agencies concerned with persons with disabilities Retired Area Manager State – Labor and Workforce Development	08/01/2019-07/30/2023 1 st Term	Serving 1 st Term
Stephanie Jones	Commissioner- Department of Human Services	Commissioner appointed from private organizations and agencies concerned with persons with disabilities Communication Skills Instructor Clovernook Center for the Blind and Visually Impaired	08/01/2019-07/30/2023 1 st Term	Serving 1 st Term

4. Are there any vacancies on the board? If so, please indicate how long the positions have been vacant and explain steps that have been taken to fill any vacancies.

There are four vacancies on the board. Two positions have been vacant since August 2019, one position has been vacant since August 2020, one position has been vacant since December 2020.

The board fills vacancies by considering candidates who have rolled off one of the 17 local TRC Advisory Boards, uses word of mouth and/or nominates businesses persons in the local communities who have indicated a desire for this voluntary work. The board is currently reviewing four potential applicants for the vacant seats and will make a recommendation to the Commissioner.

5. How many times did the board meet in each of the last three fiscal years? How many members were present at each meeting? Please note meetings where the board did not have a quorum.

SFY 2019

The board met four times: **August 30/31, 2018 – 6 members present**
 November 29/30, 2018 – 8 members present
 April 25/26, 2019 – 7 members present
 June 27/28, 2019 – 8 members present

SFY 2020

The board met three times: **November 13/14, 2019 – 12 members present**
 January 16/17, 2020 – 12 members present
 June 25, 2020 – 11 members present

SFY 2021

The board met two times: **December 17, 2020 – 9 members were present**
 March 18, 2021 – 10 members were present

The meetings in August 2018 and April 2019 did not have a quorum.

Financial Information

6. What were the board's revenues and expenditures for each of the last three fiscal years? Please include detailed information about all funding sources.

The board does not generate revenues. All expenditures for the board are captured in the per diem and travel reimbursements reported in question #7.

7. What per diem or travel reimbursements do board members receive? How much was paid to board members in each of the last three fiscal years?

The appointed members shall be entitled to reimbursement for their expenses incurred in traveling to and from meetings, in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

SFY	Total Travel Reimbursements
2019	\$2,702.22
2020	\$4,332.69

2021	\$0
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8. Does the board collect fees? If yes, provide relevant information about fees collected, including type and amount. Indicate whether fees were established through rule or through state law.

The board does not collect fees.

Sunshine Law, Public Meetings, and Conflict-of-Interest Policies

9. Is the board subject to sunshine law requirements (Section 8-44-101 et seq., *Tennessee Code Annotated*) for public notice of meetings, prompt and full recording of minutes, and public access to minutes? If so, what procedures does the board have for informing the public of meetings and making minutes available to the public?

Yes, the board is subject to sunshine law requirements. The board provides notice of the meeting dates via email. Meeting minutes are also distributed via email and are available upon request. The department has recently updated its website to include information about the TRC board and has posted meeting dates and minutes. See <https://www.tn.gov/humanservices/ds/councils-and-committees.html>.

10. Does the board allow for public comment at meetings? Is prior notice required for public comment to be heard? If public comment is not allowed, how does the board obtain feedback from the public and stakeholders?

The board allows for comment and feedback from meeting attendees. Prior notice for public comment is not required. When available, the board invites current or former program participants to the meeting to share their experience. Additionally, the board conducts visits to each of the centers and meets with staff and program participants. Information obtained during these visits is shared with the board and the department during the board meeting.

11. Does the board have policies to address potential conflicts of interest of board members, employees, or other state employees who work with the board? If yes, please provide a copy of the board's conflict-of-interest policy.

No, the board does not have policies to address potential conflicts of interest.

Reports, Major Accomplishments, and Proposed Legislative Changes

12. What reports does the board prepare concerning its activities, operations, and accomplishments? Who receives copies of these reports? Please provide a link to any such reports issued in the last three fiscal years.

No reports are required or prepared by the board.

13. What were the board's major accomplishments during the last three fiscal years? Specifically, what actions has the board taken "to consider and advise the commissioner and the division on broad problems and policies, to review periodically the progress of the rehabilitation center program, and to help maintain coordination between the program and the related programs of the organizations and agencies represented on the board" as referenced in Section 49-11-704(b), *Tennessee Code Annotated*?

The board typically conducts board meetings three times a year¹ to hear updates from the Division of Rehabilitation Services on the operation and performance of the vocational rehabilitation program and to offer recommendations on the services provided by the VR program through the centers. Additionally, while not required by statute, members of the board historically have conducted an annual visit to each of the 17 community TRCs to observe operations and speak with customers and staff. (Note: visits to the centers were suspended in March 2020 due to COVID-19).

14. Briefly describe the purpose of the rehabilitation centers. How many centers are there and where are they located? What funds have been budgeted for the rehabilitation centers in each of the last three years?

The state's community Tennessee Rehabilitation Centers were created in the 1960's to address the need for vocational rehabilitation services, particularly in rural areas of the state. With the goal of increasing opportunities for individuals with disabilities to obtain the skills needed to go to work, the centers provided "sheltered" or segregated sub-minimum wage training opportunities. Today, the centers provide a broad array of employment services in integrated community-based settings to assist individuals with their employment goals.

There are 17 community TRCs located in Union City, Dyersburg, Paris, Camden, Clarksville, Columbia, Gallatin, Franklin, Murfreesboro, Shelbyville, Manchester, Winchester, Cleveland, Cookeville, Maryville, Greeneville, and Elizabethton.

SFY	Annual Budget
2019	\$8,005,100
2020	\$7,645,100
2021	\$7,445,500

15. Please describe any items related to the board that require legislative attention and any proposed legislative changes.

N/A

¹ Note: the statutory meeting requirement for this board is to meet "at least annually and at other times that may be necessary."

16. Should the board be continued? To what extent and in what ways would the absence of the board affect the public health, safety, or welfare of the citizens of Tennessee?

Yes, the board should be continued. Should the board not be continued, the Department would continue to consult with the State Rehabilitation Council (SRC) to review, analyze, and advise the Department regarding the performance of the Division of Rehabilitation Services' Vocational Rehabilitation program as required by Section 105 of the Rehabilitation Act of 1973, as amended; 29 U.S.C. 725.

17. Please identify the appropriate agency representative or representatives possessing substantial knowledge and understanding of the responses provided to the sunset review questions.

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18. Please identify the appropriate agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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19. Please provide the office address, telephone number, and email address of the agency representative or representatives who will respond to the questions at the scheduled sunset hearing.

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